



Chapter 4

The RMP Planning Process

4.1 Overview

This chapter summarizes the principal factors that most influenced development of the Minidoka North Side RMP (as illustrated in Figure 4.1-1). These factors were identified through the following two fundamental processes:

1. Review and analysis of regional and Study Area resource inventory data, and current land use and management practices; and Federal laws and Reclamation policies and authorities (see Appendix B).
2. A public involvement program and agency and Tribal consultation focused on feedback and input from public

meetings/workshops, newsbriefs, Ad Hoc Work Group (AHWG) meetings, and other meetings and communications.

A detailed Problem Statement defining the major opportunities, constraints, and planning issues was developed based on input from the processes listed above (see Appendix C).

Table 4.1-1 lists the primary issues of concern raised in the first public meeting and through written comment in response to the first newsbriefs, AHWG meetings, and agency and stakeholder meetings. These issues are described in detail in the Problem Statement contained in Appendix C. While not all issues of concern are listed in Table 4.1-1, the Problem Statement provides a comprehensive review and understanding of all of the issues,

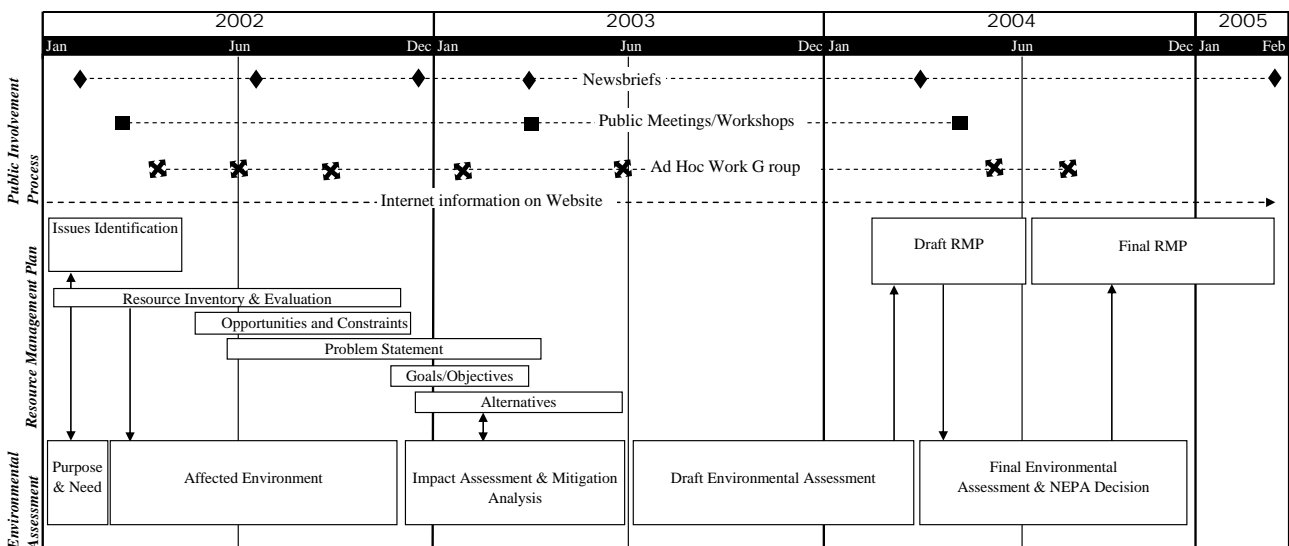


Figure 4.1-1: RMP planning process and RMP schedule.

needs, and opportunities (including all relevant perspectives) that are addressed by the RMP.

The Problem Statement was also used to guide development of the RMP Goals and Objectives, which are the foundation upon which alternative Management Actions were developed (described in detail in Chapter 5). The range of alternatives was reviewed by the public and the Ad Hoc Work Group. The alternatives were also identified and analyzed in the Draft Environmental Assessment (EA) for the Minidoka NS RMP to investigate potential environmental effects (Reclamation 2004).

Letters of comment on the Draft EA were received from two state agencies, one irrigation district, and one Federal agency. The Preferred Alternative was overwhelmingly supported by all four entities providing input on the Draft EA.

4.2 Public Involvement Program

Reclamation initiated a public involvement program in February 2002 and continued it throughout the planning process to support development of the RMP (see Figure 4.1-1). The program included: (a) six newsbriefs; (b) three public meetings/workshops; (c) seven meetings with the AHWG representing key agencies, organizations, Tribes, and stakeholders in the RMP Study Area; and (d) a project website providing information to the public and a forum in which to comment on the process. Each of these program components is described in further detail below.

4.2.1 Newsbriefs

The first newsbrief was mailed in February 2002 to about 200 individuals, organizations,

and Tribes. It explained the RMP planning process, announced the project schedule, introduced the team members, and provided a mail-in response form for submitting issues and initial comments on the management and facilities in the Study Area. This information was used to help lay the foundation for the Problem Statement and subsequently form the Goals and Objectives for the RMP.

In July 2002, the results of the mail-in response form and the issues raised at the first public meeting were summarized in a second newsbrief. These issues were listed in a table and categorized by issue type (natural and cultural resources; recreation, land use and general management). Newsbrief #2 also listed the membership of the Ad Hoc Work Group, as well as provided a summary of the resource inventory conducted for the Minidoka NS parcels.

The third newsbrief was mailed in December 2003, and provided an update of the AHWG process and the Problem Statement compiled from the public outreach efforts. The fourth newsbrief was mailed in February 2003 and provided a summary of the RMP Draft Goals and Objectives, the draft alternatives, and announced the second public meeting/workshop. The fifth newsbrief, mailed out in April 2004, announced the availability of the Draft EA for public and agency review and announced the time, location, and date of the third (and final) public meeting/workshop.

The sixth and final newsbrief was mailed in January 2005 to announce the RMP and Final EA. It also summarized comments received on the Draft EA and provided an overview of the RMP, including implementation.

Table 4.1-1. Primary Issues of Concern Identified During the Initial RMP Phase, Based on Public Input.

Overarching Concerns
<ul style="list-style-type: none"> • Maintain a view of the “big picture,” i.e., look beyond a tract-by-tract perspective to include area/regional needs & opportunities. • Consider area economic development in management decisions. • Availability of water and water rights.
Land Status
<ul style="list-style-type: none"> • Keep lands needed for Project purposes in Reclamation’s jurisdiction. • Define criteria for Project purposes. • Support Irrigation District needs as a first priority. • Dispose of lands not needed for Project purposes. • Give preferences to adjoining owners in land sales or exchanges. • Expand agricultural and grazing lease opportunities on Reclamation lands. • Protect Reclamation Zone at Minidoka Dam. • Keep all lands in Reclamation jurisdiction—do not relinquish to BLM. • Allow exchanges/sales to “square up” farm units.
Natural Resources
<ul style="list-style-type: none"> • Inventory vegetation and wildlife resources on Reclamation lands. • Identify parcels with high resource value and restrict other uses. • Reduce impacts from ORV use, fire, weeds, dumping, and trespass. • Protect wetlands and sensitive species. • Explore opportunities with farmers for cooperative wildlife habitat/farming. • Coordinate efforts for weed/insect control (e.g., BLM/Reclamation). • Water quality management & protection, including recharge of aquifer.
Recreation
<ul style="list-style-type: none"> • Provide more recreation opportunities, such as interpretation/education opportunities for cultural resources and wildlife viewing. • Promote economic benefits through recreation. • Examine expanded use opportunities at the State Park. • Protect public access to the river. • Manage current unauthorized camping, examine potential for allowing/providing camping outside of State Park.
Enforcement
<ul style="list-style-type: none"> • Prevent illegal dumping, ORV use, and vandalism on Reclamation lands. • Address trespass and encroachment on Reclamation lands. • Protect public safety. • Need for boundary signage and/or fencing. • Need to control fires—fire management.
Coordination
<ul style="list-style-type: none"> • Conduct government-to-government consultation with affected Tribes. • Define relationships with other agencies (e.g., FWS, Idaho Fish and Game [IDFG], Irrigation Districts, BLM, Counties).
Cultural Resources
<ul style="list-style-type: none"> • Reclamation will meet its responsibilities under Sections 106 and 110 of the National Historic Preservation Act of 1966, as amended. • Comply with Federal laws related to Tribes and cultural resources (e.g., Native American Graves Protection and Repatriation Act [NAGPRA]). • Need to protect historic cultural sites (e.g., Oregon Trail). • Need to protect archaeological resources.
Indian Trust Assets (ITAs)
<ul style="list-style-type: none"> • Keep all lands in Federal ownership for protection of ITAs.

4.2.2 Public Meetings

The first public meeting/workshop was held on March 6, 2002 in Burley, Idaho. The purpose of this meeting was to conduct public scoping of the issues in the Minidoka North Side Study Area. Approximately 25 people attended the meeting. Reclamation provided information about the RMP planning process, then the participants broke into small work groups to discuss important issues and opportunities the RMP should address.

The second public meeting was held in Burley a year later on March 20, 2003. Approximately 10 people attended the meeting. In the interim, the Reclamation Planning Team had conducted additional research and surveys on the parcels, and had drafted an initial set of alternatives. The purpose of this meeting was to determine what alternative management concepts the public supported and why. This information was used to help refine the alternatives that were described and assessed in the Draft EA.

The third and final public meeting/workshop was held in Burley on April 22, 2004. Ten people signed in for the meeting. Its primary purpose was to solicit comments on the Draft EA. This meeting followed a similar format to the previous two meetings, beginning with presentation of the alternatives. Attendees could then ask questions of the RMP team members at stations that emphasized particular portions of the plan.

4.2.3 Ad Hoc Work Group

The Ad Hoc Work Group met seven times: in April, June, and August 2002, February and May 2003, and May and July of 2004. As part of the June 2002 meeting, the group spent a day touring the RMP Study Area and becoming more familiar with site-specific issues.

The 21 members brought a wide variety of viewpoints, and, although some were able to participate more than others, the group was of considerable assistance in the alternatives development process. The Preferred Alternative, and ultimately this plan, were arrived at through Ad Hoc Work Group discussions, public comments from the second and third public meetings, and the recommendations of agency scientists and planners. The entities represented in the Ad Hoc Work Group are listed in Table 4.2-1.

At the first meeting, the group was introduced to the planning process and asked to identify their issues of concern (see Photo 4-1). This information was recorded and used to help draft the Problem Statement. At the second meeting, an overview of the resource inventory was presented, focusing on potential opportunities and constraints. The Team also presented and took initial comments on the draft Problem Statement. In conjunction with the second meeting, the AHWG took part in a tour of the RMP Study Area (see Photos 4-2 and 4-3).

Table 4.2-1. Agencies, Tribes, and Organizations Represented on the Ad Hoc Work Group.

<ul style="list-style-type: none"> • A&B Irrigation District • Adjacent Property Owners (2) • Bureau of Land Management • Cassia County Commission • Cassia County Sheriff's Office • City of Rupert City Council • Idaho Department of Fish & Game, Region 4 • Idaho State Parks and Recreation • Jerome County Commission • Local Business Interest • Minidoka County Commission 	<ul style="list-style-type: none"> • Minidoka County Historical Society • Minidoka County Sheriff's Office • Minidoka County Weed Control • Minidoka Irrigation District • Natural Resource Conservation Service • Pheasants Forever • Shoshone-Bannock Tribes • Shoshone-Paiute Tribes • U.S. Fish and Wildlife Service, Minidoka Wildlife Refuge
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Photo 4-1. Reclamation presentation to the AHWG on various parcel information.



Photo 4-2. The AHWG discussing concerns related to the Bishop's Hole area under the *Record Tree*.



Photo 4-3. The AHWG observing wildlife and overall conditions of one of the constructed wetlands.

The primary intent of the third meeting was to finalize the Problem Statement and gather AHWG comments related to developing the Draft Goals and Objectives. The primary purposes of the fourth meeting were to describe and get feedback on the Draft Goals and Objectives, and receive feedback on a preliminary set of draft alternatives. The fifth meeting was used to summarize and get feedback on the draft EA alternatives.

The sixth meeting was held two weeks after the third public meeting with the main purpose of getting comments on the Draft EA, in particular the Preferred Alternative. Input received on the Draft EA was summarized and presented at the seventh and final meeting. However, the main purpose of this meeting was to present and receive feedback on the RMP management actions and Implementation Program.

4.2.4 World Wide Web

A Minidoka North Side RMP web site was set up on Reclamation's Pacific Northwest (PN) Region's homepage and updated regularly to provide relevant information to the public. Newsbriefs, contact names/addresses, draft materials, the draft and final versions of the EA, and meeting announcements were posted on this website. The site also provided a forum for individuals to provide comments on the RMP planning process.

4.3 Tribal Consultation

4.3.1 Overview of Government-to-Government Consultation with Tribes

Reclamation provided information regarding the RMP process through meetings and letters to the Fort Hall Business Council of the Shoshone-Bannock Tribes, the Tribal Council of the Shoshone-Paiute Tribes, the Tribal Council of the Northwestern Band of the Shoshone Nation, the Natural Resources Committee of

the Nez Perce Tribe, and the Tribal Council of the Burns Paiute Tribe.

The Draft EA was distributed to representatives from the above Tribes. No comments on the Draft EA were received from the Tribes.

4.3.2 National Historic Preservation Act Requirements

The National Historic Preservation Act of 1966 (NHPA) (as amended through 1992) requires agencies to consult with Indian Tribes if a proposed Federal action may affect properties to which the Tribes attach religious or cultural significance. The implementing regulations of the NHPA, 36 CFR 800, address procedures for consultation in more detail. Reclamation complied with these requirements in preparing the RMP.

4.3.3 Indian Trust Assets

Indian Trust Assets are legal interests in property held in trust by the United States for Indian Tribes or individuals. The Secretary of the Interior, acting as the trustee, holds many assets in trust for Indian Tribes or Indian individuals. Examples of trust assets include lands, minerals, hunting and fishing rights, and water rights. While most ITAs are on-reservation, they may also be found off-reservation.

The United States has an Indian trust responsibility to protect and maintain rights reserved by or granted to Indian Tribes or Indian individuals by treaties, statutes, and executive orders. These are sometimes further interpreted through court decisions and regulations.

4.3.4 Indian Sacred Sites

Sacred sites are defined in Executive Order 13007 as “any specific, discrete, narrowly delineated location on Federal land that is identified by an Indian Tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious

significance to, or ceremonial use by, an Indian religion....”

Reclamation informed the Shoshone-Bannock Tribes and the Shoshone-Paiute Tribes about the RMP and requested that they inform Reclamation if they were aware of Indian sacred sites within the Study Area. The notification and consultation processes were coordinated with the NHPA consultation process. No information on sacred sites was received from the Tribes.

4.3.5 Other Laws and Regulations

The relationship between Federal agencies and sovereign Tribes is defined by several laws and regulations addressing the requirement of Federal agencies to notify or consult with Native American groups or otherwise consider their interests when planning and implementing Federal undertakings. Among these are the following (also see Appendix B, Legal Mandates):

- National Environmental Policy Act (NEPA)
- American Indian Religious Freedom Act
- Archaeological Resources Protection Act
- Native American Graves Protection and Repatriation Act
- Executive Order 12875, Enhancing the Intergovernmental Partnership
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- Presidential Memorandum: Government-to-Government Relations with Native American Tribal Governments.
- Executive Order 13007, Indian Sacred Sites

- Executive Order 13175 of November 6, 2000, Consultation and Coordination with Indian Tribal Governments (EO 13175 revokes EO 13084 issued May 14, 1998).

4.4 Agency Coordination

Reclamation consulted with several Federal and local agencies throughout the RMP process to gather valuable input and to meet regulatory requirements. This coordination was integrated with the public involvement process.

The evaluation of endangered species contained in the EA serves as Reclamation's biological assessment as required under the ESA. It evaluates impacts on listed species and those proposed for listing, including the Ute ladies'-tresses orchid, bald eagle, yellow-billed cuckoo, pygmy rabbit, and three snail species. Reclamation has determined that the Preferred Alternative will have no affect on these species and is therefore not required to formally consult with the FWS. As a result, Reclamation does not need concurrence from FWS.

